

## Message Text

SECRET

PAGE 01 STATE 231118

62

ORIGIN ORM-02

INFO OCT-01 EUR-12 IO-13 ISO-00 DHA-02 VO-03 SSO-00 SS-15

L-03 PRS-01 SCA-01 NSCE-00 NSC-05 INR-07 INRE-00

CIAE-00 NSAE-00 DODE-00 FBIE-00 SY-05 INSE-00 /070 R

DRAFTED BY D/HA/ORM:LARTHUR:CML

APPROVED BY D/HA - SCLOWMAN

EUR/SE - NPAZDRAL

EUR/EE KBROWN

D/HA/ORM - WSON

----- 063878

O R 172214Z SEP 76 ZFF4

FM SECSTATE WASHDC

TO AMEMBASSY NICOSIA NIACT IMMEDIATE

USMISSION GENEVA IMMEDIATE

INFO AMEMBASSY PRAGUE

SECRET STATE 231118

E.O. 11652: XGDS-2

TAGS: SREF, CY, CZ (JANOUCH, OTAKAR)

SUBJECT:REQUEST FOR ASYLUM

REF: (A) NICOSIA 2865; (B) STATE 221292

1. PRELIMINARY NAMECHECKS CONDUCTED BY DEPT. REVEAL NO DEROGATORY INFORMATION.

2. SINCE JANOUCH'S PASSPORT IS IN CUSTODY OF CZECH TOUR GROUP, COOPERATION OF GOC REGARDING HIS DESIRE NOT TO RETURN TO CZECHOSLOVAKIA IS EXTREMELY IMPORTANT IN EITHER GRANTING HIM ASYLUM IN CYPRUS OR ALLOWING HIM TO TRAVEL TO A WESTERN EUROPEAN COUNTRY IN ORDER TO REQUEST ASYLUM. AS A SIGNATORY TO THE CONVENTION/PROTOCOL, CYPRUS HAS AN OBLIGATION NOT TO ARBITRARILY AND FORCIBLY RETURN A REFUGEE TO SECRET

SECRET

PAGE 02 STATE 231118

HIS COUNTRY OF NATIONALITY WITHOUT SYMPATHETIC CONSIDERA-

TION OF HIS ASYLUM REQUEST. WHILE WE DO NOT BELIEVE IT APPROPRIATE FOR US TO BECOME DIRECTLY INVOLVED WITH GOC IN REQUESTS SUCH AS THIS, WE WILL BE AS HELPFUL AS POSSIBLE IN URGING THE UNHCR TO INSURE THAT SYMPATHETIC CONSIDERATION IS GIVEN TO HIS REQUEST.

3. EMBOFF SHOULD FRANKLY DISCUSS WITH JANOUCH THE POSSIBLE TREATMENT GOC MAY GIVE TO HIS ASYLUM REQUEST, IN LIGHT OF

RECENT BILEK CASE. THE OUTCOME OF THAT CASE IS LESS THAN DESIRABLE AS IT APPEARS THAT THE GOC MAY HAVE ALLOWED CZECH AUTHORITIES TO PUT UNDUE PRESSURE ON BILEK TO RETURN. WE FIND IT A MATTER OF CONCERN THAT A PRECEDENT MAY HAVE BEEN SET BY GOC ALLOWING CZECHS' TO INTERVIEW BILEK BEFORE NOTIFYING UNHCR. WE BELIEVE WE SHOULD WORK TO OVERTURN THIS PRECEDENT.

4. THEREFORE, BEFORE JANOUCH'S DESIRE FOR ASYLUM IS COMPROMISED, HE SHOULD BE FULLY AWARE OF TREATMENT HE MAY RECEIVE AND THAT PRESSURE BY THE CZECH AUTHORITIES MAY BE PUT ON HIM AS A RESULT OF HIS MAKING KNOWN SUCH AN ASYLUM REQUEST.

5. IF IT IS STILL HIS DESIRE TO OBTAIN ASYLUM, WE WILL REQUEST UNHCR GENEVA'S ASSISTANCE IN ASSURING THAT UNHCR/NICOSIA SEEKS GOC GUARANTEES AGAINST FORCIBLE REPATRIATION AND IN PRESSING GOC TO GIVE SYMPATHETIC CONSIDERATION TO HIS REQUEST FOR ASYLUM OR RESETTLEMENT IN A THIRD COUNTRY.

6. WE BELIEVE THAT JANOUCH COULD VOLUNTARILY SEEK THE ASSISTANCE OF THE LOCAL UNHCR REP BEFORE MAKING HIS DESIRE FOR ASYLUM KNOWN TO GOC. SINCE THE UNHCR REPRESENTATIVES ELSEWHERE COMMONLY GIVE ASSISTANCE TO REFUGEES AS A RESULT OF DIRECT APPEAL BY THE REFUGEE, WE SEE NO REASON WHY UNHCR/NICOSIA SHOULD NOT MEET HIS RESPONSIBILITIES IN THE SAME FASHION. AFTER DISCUSSION WITH JANOUCH ON SEPT 18, EMB. SHOULD IMMEDIATELY NOTIFY ADDRESSEES OF HIS INTENTION BY NIACT IMMEDIATE.

SECRET

SECRET

PAGE 03 STATE 231118

7. WE APPRECIATE THE SENSITIVE WORKING RELATIONSHIP BETWEEN UNHCR REP AND AMEMBASSY NICOSIA. US MISSION GENEVA SHOULD MAKE CLEAR OUR INTENTION IS NOT TO CRITICIZE KOAUT WITH WHOM EMBASSY NICOSIA HAS PRODUCTIVE RELATIONSHIP. HOWEVER, WE BELIEVE UNHCR GENEVA SHOULD BE AWARE OF OUR CONCERN ABOUT HANDLING OF AND POSSIBLE PRECEDENT SET BY BILEK CASE AND INSTRUCT UNHCR/NICOSIA TO UTILIZE ITS INFLUENCE AND RESOURCES IN WORKING

OUT A SATISFACTORY SOLUTION CONCERNING CASES SUCH AS  
THIS.

8. FOR GENEVA - UPON NOTIFICATION BY AMEMBASSY NICOSIA  
THAT JANOUCH DESIRES UNHCR ASSISTANCE IN OBTAINING ASYLUM,  
MISSION SHOULD CONTACT UNHCR GENEVA PER PARA 7 ABOVE. ROBINSON

SECRET

NNN

## Message Attributes

**Automatic Decaptoning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** INSTRUCTIONS, POLITICAL ASYLUM, WALK INS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 17 SEP 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** CollinP0  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1976STATE231118  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** LARTHUR:CML  
**Enclosure:** n/a  
**Executive Order:** X2  
**Errors:** N/A  
**Film Number:** D760352-0311  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1976/newtext/t19760946/aaaabnqf.tel  
**Line Count:** 121  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ORIGIN ORM  
**Original Classification:** SECRET  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:** n/a  
**Previous Classification:** SECRET  
**Previous Handling Restrictions:** n/a  
**Reference:** 76 NICOSIA 2865, 76 STATE 221292  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** CollinP0  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 14 APR 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <14 APR 2004 by ShawDG>; APPROVED <14 APR 2004 by CollinP0>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
04 MAY 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** REQUEST FOR ASYLUM  
**TAGS:** SREF, CY, CZ, US, (JANOUCH, OTAKAR)  
**To:** NICOSIA GENEVA  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006